IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 149 of 2005 (S/B)

Vipin Kumar S/o Sri N. Singh,
Presently working as Deputy Commissioner,
(Panchayat), Panchayati Raj Nideshalaya,
Dehradun. …….. Petitioner

Versus

1. State of Uttaranchal,
through Secretary, Panchayati Raj Vibhag,
Uttaranchal Shasan, Dehradun.
2. Additional Secretary,
Panchayati Raj Vibhag,
Govt. of Uttaranchal, Dehradun.
3. Director, Panchayati Raj Nideshalaya,
Uttaranchal, Dehradun.
4. Sri Chandra Mohan Barthwal,
Officiating Joint Director,
Panchayati Raj Nideshalaya,
Uttaranchal, Dehradun. …… Respondents

Mr. Manoj Tewari, Advocate for the petitioner.

Coram: Hon. Cyriac Joseph, C.J.
Hon. B.C. Kandpal, J.

ORAL JUDGMENT: (Per Hon'ble the Chief Justice)

1. Having heard learned counsel for the petitioner and having considered the materials placed on record, we are of the view that it is premature for this Court to entertain this writ petition. The petitioner has rightly placed his grievance before the Government through Annexure 11 representation dated 07.05.2005 and Annexure 13 representation dated 08.07.2005. According to the petitioner, the Government has not considered the representations and taken any decision in the matter. Learned counsel submits that in view of the stalemate created by the impugned appointment of the fourth respondent, even payment of petitioner's salary in the scale of Rs. 12,000-16500 is being objected to. Annexure 11 was submitted to the Principal Secretary to Government and Annexure 13 was submitted to the Secretary to Government.

2. Having regard to the facts and circumstances of the case, we are of the view that there is no justification for any further delay in taking a decision on the representations of the petitioner.

3. Hence, the writ petition is disposed of with a direction to the first respondent to consider and dispose of Annexure 11 and 13 representations submitted by the petitioner as expeditiously as possible and at any rate, within a period of one month from the date of receipt of a copy of this judgment.

4. The petitioner may produce a copy of this judgment before the first respondent for information and compliance.

(B.C. Kandpal, J.) **(Cyriac Joseph, C.J.)**
22.07.2005 **22.07.2005**

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